

FULL COUNCIL MEETING MINUTES
January 28, 2019 - 1:30 PM
STATE COUNCIL FOR PERSONS WITH DISABILITIES
GSS – Enterprise Park-Blue Hen Conference Room, Dover

(

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PRESENT

Todd Webb, Chair/DelDOT-ADA; Gene Aucott, Easter Seals; Sybil Baker (for Wendy Strauss); Deb Bradl, DVI; Susan Campbell, DHSS/DMS; Anthony Carter, JEVs; Sonya Dyer, DAFB-Family Services; Moni Edgar, CAP-UCP; Terri Hancharick, EPIC/Parent; Linda Heller, HLADE; Colleen Jones, DDDS (for Leslie Hailey); Dale Matusevich, DOE; Karen McGloughlin, DHSS/DPH; Daniese McMullin-Powell, Advocate; Jim Miller, Polio/Post-Polio Support Group; Michelle Morin, Office of Supplier Diversity; Robert Overmiller, GACAPD; Lauren Reynolds, Freedom Center for Independent Living; Loretta Sarro, DVR-ODHH; Belinda Strickland, DART; Cara Wilson, CLASI/DLP (for Laura Waterland); Despina Wilson, Independent Resources, Inc.; Alexa Wolf, DSAMH (for Elizabeth Romero); John McNeal, Staff; Kyle Hodges, Staff; Amber Rivard, Support Staff; and Jo Singles, Support Staff.

GUESTS

Victoria Counihan, DOJ/AG
Andy Kloepper, DVI
Grace Hoffman, VISTA Volunteer
Araba Hagan, VISTA Volunteer
Hermes Rodriguez, DelDOT
Susannah Eaton-Ryan, The ARC
Gary Cassidy, Easter Seals
William Powell

Interpreters: Peg Stewart/Caroline Greene

CALL TO ORDER

Todd called the meeting to order at 1:48 pm. Everyone introduced themselves. Todd reviewed some housekeeping items. Todd mentioned that we needed to maintain quorum to conduct the meeting.

ADDITION OR DELETIONS TO THE AGENDA

- Andy Kloepper, DVI/VISTA Volunteers re: Update on the SSP Program for Deaf-Blind/Deaf-Low Vision
- Announcement re: Delaware Supreme Court Decision on Judge Rotenberg Center

APPROVAL OF MINUTES

Linda made a motion to approve the November 19th meeting minutes as submitted. The motion was seconded by Gene. Motion was carried with one abstention and no one opposing.

BUSINESS

Election of Vice-Chairperson

John spoke briefly about Nick Fina resigning as Chairperson of the Council. Due to some of the email exchanges, he wanted to clarify that Nick was afforded reasonable accommodations when he requested them. He added that we would meet any reasonable accommodation requests. He asked if anyone had questions and comments. There were none.

Voting members completed their ballots and returned them to Jo for a count. Victoria commented that these documents are public record. Twenty-two (22) voting members cast votes for Terri Hancharick and confirmed her election as Vice-Chair position. Todd commented that he thought Terri could bring a lot of value to the Council and was happy to have her on board. Terri received a welcoming applause for becoming Vice-Chair.

DDDS Lifespan Waiver

Colleen Jones provided an update on the DDDS Lifespan Waiver. Her PowerPoint included the following:

- The DDDS waiver is targeted to individuals with intellectual disabilities (IDD) (including brain injury), autism spectrum disorder, and Prader-Willi Syndrome.
- It provides services and supports as an alternative to institutional services and is designed to enable the individual to live safely in the community and to respect and support their desire to work or engage in other productive activities.
- This is a renewal of the DDDS waiver that has been in continuous operation since 1987.

Updated Title Changes:

- The DDDS “Office of Quality Improvement” has been changed to “Service Integrity and Enhancement” Unit
- The DDDS “Office of Investigative Services” has been changed to “Office of Incident Resolution”
- The DDDS “Office of Budgets, Contracts, and Business Support” has been changed to “Office of Business Support Services”
- “Division of Long Term Care Residents Protection” has been changed to “Division of Health Care Quality”
- The DDDS “Performance Analysis Committee” has been changed to “Quality Assurance Committee”
- “Essential Lifestyle Plan (ELP)” has been changed to “Person-Centered Plan (PCP)”

Michelle commented that the “Office of Business Support Services” could be confused with her Office of Supplier Diversity and that there is also a new State agency called Division of Small Business and DelDOT has the ADA Supportive Services for Businesses. Michelle offered to work with leadership to avoid confusion about where to direct inquiries to the correct providers.

Concurrent Operations:

- Effective July 1, 2019, individuals enrolled in the DDDS Lifespan Waiver who live in a provider-managed residential setting can be concurrently enrolled in the 1115 Waiver under the Diamond State Health Plan to receive their non-DDDS HCBS acute care benefits. In order to fully implement this change, the 1115 waiver must also be amended.
 - This population was always “carved out” of enrollment with a Managed Care Organization in the past and received their Medicaid benefits in a payment arrangement known “fee for service”.
 - MCO Medicaid is generally more widely accepted than fee for service Medicaid which will allow for a larger provider network as well as a more flexible medical benefit package.

Appendix C-Participant Services

- The Lifespan waiver will continue to offer all of the following services:
 - Residential Habilitation (in either a group home or apartment or with a shared living provider)
 - Supported Living-Must be in the individuals own home or apartment
 - Day habilitation
 - Prevocational Service
 - Supported Employment (Individual and Group)
 - Behavior Consultation
 - Nurse Consultation

- Community Participation
- Respite
- Personal Care
- Community Transition
- Specialized medical equipment and supplies (not otherwise covered under Medicaid)
- Home or vehicle modifications
- Assistive technology

And the addition of.....

Linda asked about ear aids not being paid for which is a piece of assistive technology. She noted that a large number of people with developmental disabilities have hearing loss (approximately 30 percent) and 70 percent of people with Downs Syndrome have hearing loss. Linda asked if hearing aids could be added to the Waiver since Medicaid does not currently cover the cost of hearing aids. Colleen will take this comment back to the administration. Linda offered any assistance with this.

Appendix C-Service Specifications

Medical Residential Habilitation

- This new service includes the provision of medically necessary direct skilled nursing services and habilitative services and supports that enable a participant to acquire, retain, or improve skills necessary to reside in a community-based setting.
- This service is offered as an alternative to Private Duty Nursing that is available under the Medicaid State Plan.
- The need to be able to receive round the clock nursing in a community-based waiver setting has been a barrier to some individuals with IDD seeking community living.
- DDDS added the new provider type to Supported Living, Respite, and Personal Care to try to increase the available provider network.
- The definition of Day Habilitation non-facility based services was clarified and defined as the following:
 - Day Habilitation non-facility based services may be furnished in the general community, or any combination of service locations, provided that the activities take place in a non-residential setting that is separate from the participant's private residence or other residential living arrangement. Individuals may gather at the beginning and end of the day at a "hub" before embarking on their activities of the day but may not spend any more than 1 hour in total at the hub per day. Other than the brief period at the beginning or end of the day, Day Habilitation non-facility based services cannot be delivered in a provider owned or managed setting.

(This point of clarification was made to further align with Community Rule and the DDDS believe that individuals should be supported in the least restrictive and most integrated setting possible.)

Michelle asked if there was an unintended consequence in reduction of services with the one hour limit of service at a participant location (beginning and end of services being provided). She spoke about issues with that. She asked that, while the goal is to have more services elsewhere, will that prevent some people from receiving services because it is now in writing that services can no longer be provided at a provider site. Colleen explained that services can be provided there, but the people are choosing day habilitation, not facility based. This is ensuring that providers are having people in the community and not extended time in the hub. Weather or transportation issues would be considered a concern. Michelle added that she hoped there would be an updated report because she would not like to see a reduction in services because it is now location based tied to the intention of the service and have the services not be scheduled because there is not a location.

- The definition of Prevocational non-facility based services was clarified and defined as the following:
 - Prevocational non-facility based services may be furnished in the general community, or any combination of service locations, provided that the activities take place in a non-residential setting that is separate from the participant's private residence or other residential living arrangement. Individuals may gather at the beginning and end of the day at a "hub" before embarking on their activities of the day but may not spend any more than 1 hour in total at the hub per day. Other than the brief period at the beginning or end of the day, Prevocational non-facility based services cannot be delivered in a provider owned or managed setting.

(This point of clarification was made to further align with Community Rule and the DDDS believe that individuals should be supported in the least restrictive and most integrated setting possible.)

- Shared Living-DDDS added language to allow retainer payments to be authorized for Shared Living providers for periods when the waiver member is temporarily absent from the home for hospitalizations or other reasons. For hospitalizations, DDDS may authorize up to 7 days within each 30 day period. For therapeutic reasons, an individual may be absent from the Shared Living provider's home for a period of 18 days per year.
 - DDDS has identified the lack of payment for "bed hold" days as a barrier to being able to attract and retain Shared Living providers. Shared Living arrangements are the most home-like and cost effective residential model offered under the DDDS waiver.

Appendix G-Participant Safeguards

- DDDS updated the Performance Measures in this Appendix to align with recommendations from a 2018 report from the U.S. Office of Inspector General, DHHS, associated with monitoring the process of critical incident resolution through investigation, development of remediation, and verification of implementation of remediation, thus allowing DDDS to better target overall system improvements.

Appendix H-Quality Improvement Strategy

- This section was changed to reflect the new structure and improved processes of the DDDS Service Integrity and Enhancement Unit including increased collaboration with Community Services.

Appendix I-Financial Accountability

- For Out of Network (Out of State) placements, language was added to assert that payment shall be the lesser of the Medicaid rate for the provider/service in that state, the Usual and Customary rate, or a negotiated rate that is lower than the Medicaid or Usual and Customary rate.
- In the description of rate setting and Benchmark rates, DDDS indicated that a new rebasing study for the Direct Support Professional Rates would be published in January 2019.
- As of 7/1/19 DDDS will continue to submit waiver claims on behalf of Shared Living providers but the payments for services rendered will be made directly to the providers from Medicaid.

Colleen noted the Public Hearings are scheduled for February 14-15 (handout). Terri confirmed that they presented at the DDDS Advisory Committee. Linda asked about the status on Direct Support Professionals Report. Colleen stated that it is due to be released by January 31st. Linda spoke about the conflict between the TBI Waiver and the DDDS Waiver. She stated that families with TBI have to switch between the two depending on the status of their child for cognitive services. The TBI Waiver covers cognitive services and the DDDS Waiver does not. Linda asked if there had been discussion about making it easier for families to not have to keep switching between the two Waivers. Colleen stated that there is a comparison chart between the Diamond State Health Plan Plus Program and the DDDS Waiver. Families need to choose which one works better for them. Kyle asked for a copy of today's PowerPoint for Jo to distribute (Amber saved it on the laptop).

Review of Prospective Legislative/Policy Issues

Kyle referred to the 2019 Legislative & Policy Agenda (handout). This document came from a group (listed on the front cover). He spoke about several of the legislative/policy issues listed in the handout that the SCPD may want to consider as a priority as follows:

- Attendant/Direct Support Professional Care for Individuals with Disabilities When They Are Hospitalized
- Pay Raises for Attendants and Direct Support Professionals (DSP)
- Emergency Backup Attendants

Kyle commented that there had been discussion about combining these three items and calling them the "Jamie Wolfe Bill." Terri explained how each of these legislative initiatives would provide needed support for people who need these services. Linda recommended approaching the Delaware Hospital

Association for their support. Terri will follow-up on this. Karen asked the difference between a personal care attendant and a direct support attendant. Terri explained that the personal care attendant works with people in the community and in their homes to do personal care duties. John explained that a personal care attendant is an extension of himself. He said they can go above and beyond what the Certified Nursing Aide from a Home Health Agency can do. The duties can include shopping, driving, and giving medicine. Whereas a home health aide has more restrictions. Direct Support Professionals work directly at CHIMES, Easter Seals and provide services within their facilities and group homes. John thinks that some legislators were confused about the pay raises for Direct Support Professionals and thought the pay raise was across the board. He said that this presents a competitive challenge since DSP pay more than personal care attendants. Despina asked what the difference is between Visiting Angels and personal care attendants. Terri explained that if the person is self-directing a personal care attendant, he/she has hired that person and can self-directed according to their specific needs. John commented that it involves flexibility with work hours and what the individual's needs are as opposed to a service from a home health agency or a companion service. He hires the person as his employee. Those services provided from home health agencies are limited in scope.

Anthony spoke about the emergency backup attendants. He noted that backup attendants registries can have issues. They need background checks completed and to be put through the hiring process. He said that a lot of thought needs to go into how this is framed. He added that it is more amenable to an agency style service where the attendants are the employees of the agency. Backup services could be beefed up in that arena. For that reason, Anthony recommended not combining all three items to avoid confusion similar to what we saw with the pay raises. Kyle thanked Anthony for his comments and recommending that he be part of this process. Kyle added that a small group (Dava Newnam/DSAAPD, Melissa Smith/DSAAPD, Terri, and Kyle) are meeting tomorrow regarding home & community-based services. He said that Anthony's input would be valuable.

Kyle spoke next about Freedom of Information (FOIA) and the ADA Inclusion of Persons with Disabilities (page 4 of the handout). He stated that legislation was introduced last year that involved web conferencing or teleconferencing as a reasonable accommodation to fully participate in meetings. Kyle stated that this had been discussed at the Policy & Law Committee. Laura, Daniese, Nick and he had planned to meet to develop draft legislation that was workable. Laura, Daniese and Kyle will be meeting sometime in February when Laura is available. Laura will be researching what other states are doing. The plan is to bring a document to the Council for approval. Victoria offered to assist but explained that she previously drafted legislation upon the Council's wishes. John added that Victoria drafted legislation which was presented late in the legislative session. Michelle spoke about last year's draft legislation which included meetings across the board and all Councils' members could attend by phone. She added that the referenced document today has a more narrow focus and is tailored toward individuals with disabilities. She volunteered to join the committee working on this. She added that it may involve writing two versions—one is all inclusive and the other is for persons with disabilities. We can then see what traction happens. Michelle added that part of the mission of SCPD is full inclusion. Kyle commented that the legislation that is all inclusive is too broad for legislators to support. Kyle and John commented that feedback from legislators was that it was too broad and would be difficult to pass. He added that we are a council that is supposed to promote inclusion for people with disabilities. He said that we may have to look at the reasonable accommodation approach. The discussion will be continued.

Title 19 – Chapter 7. Employment Practices Subchapter 3 and Chapter 3. Persons With Disabilities Employment Protections

Kyle referenced a particular section of this under (6) Reasonable Accommodation as follows:

d. Make changes to accommodate a person with a disability where:

1. For a new employee the cost of such changes would exceed 5 percent of the annual salary or annualized hourly wage of the job in question; or

2. For an existing employee the total cost of the changes would bring the total cost of changes made to accommodate the employee's disabilities since the employee's initial acceptance of employment with the employer to greater than 5 percent of the employee's current salary or current annualized hourly wage; or

e. Make any changes that would impose on the employer an undue hardship, provided that the costs of less than 5 percent of an employee's salary or annualized wage as determined in paragraph (6)d. of this section shall be presumed not to be an undue hardship.

Kyle said that there is nothing in the ADA that addresses this. He will review in more detail to find other problematic provisions, but recommends proceeding to have this section removed at a minimum. He said that if anyone had questions or wanted an electronic copy of this section forwarded to contact him.

Straw Bill

Kyle spoke about Representative Baumbach's draft legislation regarding eliminating plastic straws. He noted that many people with disabilities use the long curvy plastic straws. Representative Baumbach asked for comment which was provided to him as follows:

Therefore, if food establishments provide straws, such establishments shall ensure that single service plastic straws always remain available upon request.

Kyle stated that the legislation has not yet been introduced. He asked if anyone had comments. Todd commented that he believes it will be presented as a Resolution. Based upon the reaction from businesses, data will be gathered and reviewed to see if it should be pushed forward with legislation. Terri asked if our comments will be in the Resolution. Todd confirmed that it will be in the Resolution.

Maintenance of Sidewalks

John spoke about accessible sidewalks throughout the state. These include those maintained by the State, municipalities or others. Sub-division sidewalks have not been discussed as much. Legislation was introduced last year that clarified a county government authority to enact and enforce an ordinance affecting an area within a right of way and consistent with state code. This legislation would enable a county government to enact an ordinance that concerns the maintenance of sidewalks in residential subdivisions. The legislation was tabled in Committee. John would like SCPD to be behind similar legislation. Karen commented the DPH is supportive of this type of legislation and that it is parallel with The Complete Street Initiative. She recommended partnering with Laura Saperstein/DPH. Delaware ranks #3 nationally in pedestrian deaths and the lack of sidewalks throughout the state are a direct contribution to the very high number of deaths. She added that this has the Governor's attention as an issue and needs significant funding to correct the problem. John stated that his role as Chairperson of the Pedestrian Council, the Council will be looking at accessibility and safety. Todd spoke about the challenges of handling these types of issues and provided several examples. He stated that we want inclusion in the community where everyone can navigate. Linda spoke about people in wheelchairs on the road at night with no light or flag. Jim spoke about his wheelchair being legally street ready and meeting certain requirements. John stated that people using wheelchairs are considered pedestrians and have to follow certain rules. He spoke about his personal experiences ending up on the roadway because sidewalks were not accessible and that non-compliant sidewalks are sometimes more dangerous than navigating on the shoulder of the road. Despina spoke about the Access Wilmington Advisory

Committee to the Mayor of Wilmington. They raise awareness of accessibility issues and advocate for resources for accessibility around the city. They also have awareness of issues outside of the city. Despina will forward a video to the Council. They may have a small nucleus of a model that we could review if interested. She added that they were successful in working with the pertinent State agencies and other agencies for sidewalk cutouts, crossings for sight-impaired people, etc. She suggested working with them or have a representative attend an SCPD meeting and discuss how this can be duplicated throughout the state.

End of Life Options Legislation

Kyle spoke about legislation introduced last year by Representative Baumbach. The SCPD provided extensive comments on this bill and opposed it. Kyle recommended that we consistently continue this approach. He hoped to get a motion to support this recommendation.

Interpreter Registry

Kyle spoke about draft legislation that would create an Interpreter Registry in Delaware. This Registry would require that certain standards would be met. The Deaf & Hard of Hearing Committee was working on this issue. He hopes to continue this effort.

Kyle asked for a motion to move forward as needed on all the legislative issues listed above. Daniese made a motion to continue this effort. Terri seconded the motion. The motion was carried with no one opposing and three abstaining (Linda Heller, Michelle Morin and Robert Overmiller).

DVI/VISTA Volunteers re: Update on the SSP Program for Deaf-Blind/Deaf-Low Vision

Andy Kloefer (DVI) and two VISTA Volunteers spoke about the one-year grant from Americorp addressing barriers to employment, training and education for deaf and deaf-blind and otherwise disabled populations. He said they partnered with Delaware School for the Deaf (DSD) and Statewide Services for the Deaf. January 31st marks the end of the 3rd quarter of this grant. Andy stated that they exceeded all the expectations they had. Highlights include the following:

- Created an after-school initiative (every Monday and Wednesday) which provided students with resources and guidance to prepare for the American Guidance Testing, various curriculums, etc. This program started in September and is still going strong.
- Created an after-school program, which included job exploration, college preparation, and touring various locations that offer training or educational opportunities which students could attend after graduation. Andy provided many examples of the opportunities and successes the students have had.

Agencies/organizations that they have successfully partnered with including:

- DSCYF Department of Services for Children, Youth & Their Families/Detention Center
- PAC (Partnership Accessibility & Communication) effort to eventually build a group home for the deaf and hard of hearing.

Andy introduced Grace Hoffman and Araba Hagan (VISTA Volunteers) who managed the program. They have recruited 31 volunteers. He said they faced many barriers, but had phenomenal results. Many are staying after the project officially end on April 30th. Linda asked how many of the individuals being served are 21 and older that live at home get out into the community. Andy explained that there

have been six (6) people over 21. Linda commented DVI in working with DSD to help their students. She added that the VISTA grant was a result of parents of deaf and deaf-blind adults who live at home with their parents. Many were not getting out of their homes for more than a couple of years and these parents came to the HLADE (Hearing Loss Association of Delaware) and asked for assistance. HLADE spoke to Rita Landgraf (DHSS Cabinet Secretary) and she scheduled a meeting with DHSS agencies. DVI was then approached to write a grant to help this population. The Governor's Office was also contacted and the project moved forward. Linda commented that we applaud your work in helping students with disabilities. The original intent was geared to helping adults and modeled from one in Pennsylvania. She added that we still need to work on the deaf-blind and deaf adults in the community. Linda encouraged Andy to find more deaf-blind and deaf people in the homes who are not able to get out. She thanked Andy for all his work. Andy stated that they only have one quarter left in the grant, but hoped the Council would pass forward so the work can be moved forward.

Loretta thanked Andy for his presentation. She spoke about the limited amount of services once a student graduates. The hope was to maintain services after graduation. She would like to see this happen. There are people who are homebound who are living with their parents and there is a great need, including when their parents are no longer living. Andy commented that the VISTA volunteers will continue their work with the students through DSD. He spoke about the Deaf Independent Living Association in Maryland (DILA) who were working with Delaware to start a group home established. He clarified that VISTA volunteers cannot provide direct service, but can lead the group and make recommendations. Karen asked about what types of jobs the students were interested in most. Also, what the Council can do to facilitate to continue the process or make it better. Grace spoke about the students being interested in barbering, coding and child care. She added that they mostly work with the residential students and to continue to give support after they graduate would be very beneficial. Araba commented that they exposed the students to many vocational skills, including job shadowing. Linda suggested that if they create a proposal for the group home that they bring it to the Council and we may be able to support it in some way. She added that she did not know about the federal legislation that may require inclusion, but it has been a long time need. Andy clarified that they cannot develop a proposal because that is considered direct service. He recommended contacting Mike Purkey at the DILA or reach out through DSD. Araba commented that they had a difficult time getting the numbers of deaf-blind and deaf people that are in a group home. Kyle asked who the contact is at DSD, and what is the status of the group home. Grace stated that Mark Campano is the contact at DSD. Grace invited folks to attend a monthly PAC (Partnership & Accessibility Communications) group meeting. DILA has a contract with DDDS. Kyle added that the State had issues in the past in trying to provide a group home specific to one population and the movement has been to get away from that concept. Andy stated that there are several group homes in Maryland, but the contract with DDDS has not moved forward. Andy added that DILA were looking at the areas of Sussex County and southern Kent County for a start. Andy thought this Council could get involved and possibly move the process along. Despina asked if they were going to continue the work by writing another grant. Andy explained that this was a one-year opportunity, but they do not plan to continue. Despina spoke about a huge need in educating the business community about people who are deaf-blind and deaf, including sensitivity training. Andy stated that any non-profit entity can apply for a VISTA grant. Despina said that her non-profit would be interested in this and added that it would be great to utilize the pool of VISTA volunteers. Andy commented that he thought that idea might work and that Grace and Araba could supply the list of volunteers. He added that there are many opportunities for this to continue and expand. Despina will reach out. Andy thanked everyone for allowing him to present. Everyone applauded.

Reports of Committees/Commission

Committee Reports

Brain Injury Committee – TBI Trust Fund Policy

John noted that one of the remarkable advocate, Ann Phillips, resigned as Chairperson of the Brain Injury Committee. Sharon Lyons is the Acting Chairperson (currently Co-Chair). Several people indicated an interest in serving as Chairperson. There has been a broader outreach for the Brain Injury Fund. There is about \$100,000 in this fund. He asked if you know of someone or a family member who may be interested in applying for these funds to contact him or SCPD staff. Better procedural guidelines have been developed. John noted that this fund is the payor of last resort. We only cover what Medicaid does not cover, which creates challenges. He stated that he would like to see this change because of the timing. Dale added that this Committee is looking at data around brain injuries. They are working with Dan (DHIN) to get more accurate numbers of individuals with traumatic brain injury within the state. He added that many people who go into the hospital, not every diagnosis is not tagged. Another subgroup is looking at data around that. Karen added that the subgroup is meeting on January 30th. John noted that the Brain Injury Conference is April 8th, Dover Downs. Linda stated that a TBI Registry would be very beneficial or getting a current database and adding onto it. She noted that this is something that we have been trying to get for many years. Linda recommended reaching out to Rehab Hospitals because many people go out of state. She said that more marketing needs to be done. She named a few of the rehab hospitals (Wilmington Hospital, HealthSouth, Bryn Mawr, Baltimore). She suggested emailing to BI Fund brochure to Council members for a wider distribution. Many trauma nurses do not know about this fund. John agreed and said that there are new rehab hospitals in Dover and one of them is specifically geared toward spinal cord injury and traumatic brain injury.

Employment First Oversight Commission

Kyle spoke about a retreat held in August and facilitated by Rita Landgraf. She also attended the January 8th meeting and is getting the group to focus on what their mandate is in the Code. Rita is developing a list of questions to determine how to get the baseline data from agencies. We have determined who are the relevant State agencies and develop questions to collect the baseline data. After that, we will decide how to move forward on how to better implement Employment First. Dale commented that there was discussion about the data collected in 2013 and there being confusion what was being asked to the agencies when asking for data. He added that we are looking at a two-fold approach--asking State agencies how they are promoting Employment First for individuals with disabilities within their own organizations and how is it being promoted within the clients served. In 2013 most agencies were looking at HR policies around their hiring practices. We want to look at how we are working with individuals, their families and circle of supports, and preparing them for employment as a first option. Kyle mentioned a bill passed several years ago about an employer tax credit for those who hire people with disabilities. That is currently underway. A flyer was recently distributed by DVR.

Policy & Law Committee

This was discussed above under Legislation. Kyle added that all letters that go out on legislation and regulations are put on the SCPD website.

Executive Committee

The Executive Committee did not meet today due to lack of quorum.

Deaf & Hard of Hearing Committee

This was referenced earlier.

Home & Community Based Services Committee

This was referenced earlier.

Housing Committee

Daniese commented that this group has not met in a year. We have not been able to get people to attend besides the public housing agencies. More advocacy is needed. Delaware recently received fifty (50) 811 vouchers, which are targeted directly to people with disabilities coming out of facilities. We need to ensure that services are connected and that we bring more people out to the community. Also, there are SRAP vouchers, State Rental Assistance vouchers and 811 (project-based) vouchers that stays with the units. Daniese commented that there are a lot of good things that could happen in Delaware, including more involvement. Todd asked if there is anything the Council can do to building up that support. Daniese suggested sending notices out to the Full Council (not just the Housing Committee). Marketing needs to be done on the availability of housing options for persons with disabilities. Despina stated that she was interested in this Committee. She added that the Governor and the Biden Institute have an initiative to revitalize cities or areas that investors can receive many incentives to invest. She gave an example of the old Chrysler plant being developed into the Starr Campus, which is a state of the art building with the University of Delaware. Apartments and housing sections could be carved out for people with disabilities and we could advocate for that. Despina recommended having Patricia (Biden Institute) attend a meeting. She also mentioned First State Community Land Trust where they bank land and build homes for low income and persons with disabilities, but are integrated into communities. This group partners with builders and those builders parcel out several of the homes to be designed specifically for people with disabilities. The builders receive a tax incentive. She suggested having both of these groups have a representative at a meeting. Daniese stated that the mission of the Housing Committee is to have accessible affordable housing integrated into the community. Despina clarified that all these housing initiatives are integrated into the community. Linda suggested that Daniese attend a meeting on the deaf-blind and deaf group home that is in the works because of her expertise. Daniese commented that she cannot assist with segregated housing that is diagnosis specific because it is against her values. Karen suggested having more staff that know sign language in existing homes.

ANNOUNCEMENTS

Karen spoke about the Initiative Working Group, which focused on data. She found two Reports by CDS (Center for Disabilities Studies/U/D):

- The Plan to Achieve Health Equity for Delawareans with Disabilities
- The Current Landscape for Disability and Health in Delaware

A lot of work went into these documents and she does not want it to get lost. Also, we do not need to reinvent the wheel. The focus on this Plan went away with DHSS administrative changes. These documents could be utilized in forming our work activity going forward. Jo will see if it is online and send it out. Michelle offered to scan the documents because it would be useful for her initiative group.

Daniese stated that the Delaware Supreme Court upheld the lower Court's decision against the Judge Rotenberg Center. This center used "aversive" behavioral modification tactics, including electric shock. The decision upheld that Delaware Medicaid would not have to pay for two Delawareans staying there. Daniese offered a pamphlet on this if anyone was interested in additional information.

Todd commented that he is humbled and delighted to be the Chair for SCPD. He looks forward to serving the Council and advocating for persons with disabilities. He added that this is a group effort and he needs everyone's assistance. Members attendance at meetings is important. Also, advocating before the JFC is important when advocating for programs. He said that we have an incredible legislative agenda. Everyone applauded. Kyle sent out a link for the JFC meetings, including a list of agencies that are important to people with disabilities. He added that DSHS was not listed, but is important (where SCPD is housed). John will send the information out to everyone.

John asked for an increase in our budget, but thinks that what we asked for is there. He appreciates the efforts everyone made. Linda has members to contact their individual legislators in support of the SCPD's budget.

PUBLIC COMMENT

None

ADJOURNMENT

Michelle made a motion to adjourn the meeting. Daniese seconded the motion and motion was carried with no one opposing or abstaining. The meeting ended at 4:11 pm.

Respectfully submitted,

Jo Singles
Administrative Specialist

SCPD/minjan19